

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

WILLIE LOUIS JACKSON, #399289

PLAINTIFF

v.

CAUSE NO. 1:16CV420-LG-RHW

LARRY McCOOK

DEFENDANT

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING CASE**

This cause comes before the Court on the Report and Recommendation of United States Magistrate Judge Robert Walker entered in this cause on November 13, 2017. Magistrate Judge Walker reviewed the record and determined that Jackson had failed to serve the only remaining defendant with process or maintain a current address with the Court. The last three items mailed to Jackson by the Court have been returned as undeliverable, including the Report and Recommendation. (See ECF Nos. 32, 34, & 37).

Because Jackson has not objected to the Report and Recommendation, the Court need only determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). After review of this matter, the Court finds that the Report and Recommendation is neither clearly erroneous nor contrary to law. The Court has authority to dismiss this case for Jackson's failure to serve process or to comply with the Court's orders to advise of any change of address. *Millan v. USAA Gen. Indem. Co.*, 546 F.3d 321, 325 (5th Cir. 2008); *Rice v. Doe*, 306 F. App'x 144, 146 (5th Cir. 2009). The Report and Recommendation will therefore be adopted as the opinion of this Court.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation of United States Magistrate Judge Robert Walker entered in this cause on November 13, 2017 [35] should be, and the same hereby is, **ADOPTED** as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED AND ADJUDGED this the 5th day of January, 2018.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE